

HHH
RECEIVED

JUL 07 2008
7-7-2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ANNAMMA JOB
(Name of the plaintiff or plaintiffs)

08cv3838
JUDGE CONLON
MAG. JUDGE COX

① ELIZABETH SCHMIDT (LISA)
② ELLEN HODGIE ③ LARRY DOLAN
④ CHRISTOPHER BURNS (CHRIS)
⑤ WAYNE ROBINSON ⑥ ANN M KILEY CENTER
⑦ CYNTHIA KALINA ⑧ KAREN FINLEY
⑨ LAURA VANDERWALL
(Name of the defendant or defendants)

COMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.
2. The plaintiff is ANNAMMA JOB of the
county of LAKE in the state of ILLINOIS
3. The defendant is AS MENTIONED ABOVE, whose
street address is 1401 DUGDALE ROAD (ANN M KILEY CENTER)
(city) WAUKEGAN (county) LAKE (state) IL (ZIP) 60085
(Defendant's telephone number) (815)-249-0600
4. The plaintiff sought employment or was employed by the defendant at (street address)
ANN M KILEY CENTER, 1401 DUGDALE RD (city) WAUKEGAN
(county) LAKE (state) IL (ZIP code) 60085
5. The plaintiff [check one box]
(a) ☐ was denied employment by the defendant.
(b) ☒ was hired and is still employed by the defendant.
(c) ☐ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about, (month) JUNE, (day) 14th, (year) 2006.

7.1 (Choose paragraph 7.1 or 7.2, do not complete both.)

(a) The defendant is not a federal governmental agency, and the plaintiff [check one box] ☐ has ☒ has filed a charge or charges against the defendant asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

(i) ☒ the United States Equal Employment Opportunity Commission, on or about (month) MARCH (day) 31st (year) 2008

(ii) ☒ the Illinois Department of Human Rights, on or about (month) MARCH (day) 31st (year) 2008 (TO THE OFFICE OF EXECUTIVE INSPECTOR GENERAL)

(b) If charges were filed with an agency indicated above, a copy of the charge is

attached. ☒ YES. ☐ NO, but plaintiff will file a copy of the charge within 14 days.

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

7.2 The defendant is a federal governmental agency, and

(a) the plaintiff previously filed a Complaint of Employment Discrimination with the defendant asserting the acts of discrimination indicated in this court complaint.

☐ Yes (month) _____ (day) _____ (year) _____

☐ No, did not file Complaint of Employment Discrimination

2. The plaintiff received a Final Agency Decision on (month) _____ (day) _____ (year) _____.

c. Attached is a copy of the

a. Complaint of Employment Discrimination,

☐ YES ☐ NO, but a copy will be filed within 14 days.

(ii) Final Agency Decision

☐ YES ☐ NO, but a copy will be filed within 14 days.

8. *(Complete paragraph 8 only if defendant is not a federal governmental agency.)*

(a) ☐ the United States Equal Employment Opportunity Commission has not issued a *Notice of Right to Sue*.

(b) ☒ the United States Equal Employment Opportunity Commission has issued a *Notice of Right to Sue*, which was received by the plaintiff on (month) MAY (day) 7th (year) 2008 a copy of which *Notice* is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's *[check only those that apply]*:

(a) ☐ Age (Age Discrimination Employment Act).

(b) ☒ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

(c) ☐ Disability (Americans with Disabilities Act or Rehabilitation Act)

(d) ☒ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

(e) ☒ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

(f) ☐ Religion (Title VII of the Civil Rights Act of 1964)

(g) ☐ Sex (Title VII of the Civil Rights Act of 1964)

10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).

11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the A.D.E.A. by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791.

12. The defendant *[check only those that apply]*

(a) ☐ failed to hire the plaintiff.

(b) ☐ terminated the plaintiff's employment.

(c) ☒ failed to promote the plaintiff.

- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☒ failed to stop harassment;
- (g) ☒ retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;

(h) ☒ other (specify): Bureau of Civil Affairs (BCA)

found during their investigation that violation of Federal and/or State laws in addition to department policies or Administrative directives has occurred with respect to my allegation of harassment and unequal terms and conditions of employment on the basis of retaliation

13. The facts supporting the plaintiff's claim of discrimination are as follows:

On June 14th 2006, Elizabeth Schmidt and me were talking about me getting a time off due to no baby sitter, when I requested time off for my children Ms. Schmidt laughed at me & in an insulted way told me that "Why can't you Indians throw your children in the Summer Camp just like people do here, and she also told me that "You Indians are too spoiled, you guys don't know what to do or how to deal the situation."

14. [AGE DISCRIMINATION ONLY] Defendant knowingly, intentionally, and willfully discriminated against the plaintiff. (Continued)

See the attached

15. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff [check only those that apply]

- (a) ☐ Direct the defendant to hire the plaintiff.
- (b) ☐ Direct the defendant to re-employ the plaintiff.
- (c) ☐ Direct the defendant to promote the plaintiff.
- (d) ☐ Direct the defendant to reasonably accommodate the plaintiff's religion.
- (e) ☐ Direct the defendant to reasonably accommodate the plaintiff's disabilities.

(f) ☐ Direct the defendant to (specify): be fair and professional
and respect other nationality and their traditions
since we all are gathered here as a team from
different nationality & customs, we have to work
as a team, take administrative actions as per
state rules without discriminating any staff's
race, color or nationality, treat everyone fairly

(g) ☒ If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.

(h) ☒ Grant such other relief as the Court may find appropriate.

(Plaintiff's signature)

Annamma Job

(Plaintiff's name)

ANNAMMA JOB

(Plaintiff's street address)

1605 BELLEPLAINE AVE

(City) GURNEE (State) IL (ZIP) 60031

(Plaintiff's telephone number) (847) - 599-1914

Date: 7-7-08

DEFENDANT #1

#13
continued

ELIZABETH SCHMIDT (UNIT ADMINISTRATOR)
UNIT-5. Shortly called as LISA SCHMIDT.
Lisa was my supervisor, she harassed
and insulted me several times, retaliated
me and discriminated about my color
and nationality, she even gave me
a worse evaluation (performance eval)
and stopped my promotion. I was a
very hardworking employee spent my
extra time at work whenever needed
without any extra pay, still I got a
very bad performance evaluation from
Lisa Schmidt and Lisa gave a very
good evaluation to another female
employee (Deanna H) who was absent
more than 80% of her working hours.
Lisa also gave me an overload of
work 4 times more than my job duties
never appreciated and that over stress of
work made me causing sleeplessness, and
made my health go down so much that
I end up in taking medication & still
continuing due to work place stress due to Lisa.

II

Human Resource staff one Lisa's friend (Donna W). Lisa even went to HR and stopped my promotion as a Hab program co-ordinator by not proceeding my paper work in time. Then she harassed me and discriminated me as stated in Discrimination form #13

2) DEFENDANT #2

ELLEN HODGIE: FORMER ASST FACILITY DIRECTOR

During Dec 18th 2006, I was a witness for two employees misconduct/unfair act at work (Lisa Schmidt and CHRISTOPHER BURNS DEFENDANT #4) which was reported to Ellen Hodge (ASST Facility Director during that time) since Ellen, Lisa and Christopher were friends Ellen never took any administrative action about this case against Lisa and Christopher, instead she bend me on suspension for 2 months for reporting something. Ellen falsify all the documents or complaints regarding this case and put me on re-assignment and took no action against Chris and Lisa. Then she took retirement after I reported this case to BCA.

III Then Ellen transferred me to a different work location and left Lisa in the same area to work. I felt it was a real punishment for me to report something I needed to be reported. The new work area I was treated very bad by Karen Finley (CWA - Unit - 2) Cynthia Kalina U-2 program co-ordinator and Laura Vanderwall Unit Adm-1 as if I did some major mistake. When I was reporting this incident to Ellen H, she threatened me and harassed me I told me you may loose your job, whether you report or not so I was really scared to report at the first time, and also I was on vacation

3) LARRY DOLAN (INTERNAL SECURITY INVESTIGATOR) (ISD) during my interview with Larry Dolan regarding the above case, he instead of investigating this case harassed me and forced me to change my true statement. He told me "if you were not reporting this Bull shit I should not have gone thru this investigation. You could have forget about what happened". Another officer was

iv witnessing Larry's conversation I felt very bad about this comment.

4) CHRISTOPHER BURNS (HAB PROGRAM CO-ORDINATOR)
HPC of unit-2.

After the above incident, Chris and me were transferred from unit 5. to unit 2. After reporting the incident about Lisa and Chris, Chris was so mad at me, I have his case load in my area to work where I noticed several times he falsify the patient's document to put me in trouble which staff are witness.

5) Waverly Robinson (DEFENDANT # 5)
FACILITY DIRECTOR.

After Ellen Hodge took retirement before she completed my case, it was still with Bureau of Civil Affairs (BCA). Then Waverly took over. After several incident happened with Lisa after nine. Lisa went with Bulls game in Chicago took patients with her. She took her son with her during working hours in her own car (supposed to use State vehicle) she was ignoring the patients.

V and took care of her son (still in the clock) at bulls games. She was using liquor (alcoholic) which Tyneone Woods (CWE) staff reported and waverly did not take any action about Lisa. Then patient money was stolen in Lisa's unit and waverly kept quiet instead of taking administrative action. He as the facility director failed to do his job

6) ANN M KILEY CENTER (DEFENDANT #6)
 Refused to get treatment from my work place (as above). I had an injury on my left ankle on 5/22/07 due to a concrete piece came out from the outside garbage bin wall. I accidentally stepped on the concrete piece (which was between home 7 & Home 8). I twisted my ankle and got injury on my left ankle. Started bruising and in few minutes that ankle was swollen up & painful to touch. It was supposed to be workers compensation (work place injury). I went to Emergency thru Kiley once and then

VI my treatment was refused by Kiley or State as a State employee & never got justice to continue my treatment. Several times I went to my own doctor and then my husband's insurance. I was refused treatment from Kiley for my 8 weeks physical therapy and doctors appointments. MR. MICHAEL PRICE Kiley Adjuster (Cms) told me even if it happened at work, it was a natural cause. If I broke my head and died they could have still told me this is a natural cause?

7) CYNTHIA KARINA (DEFENDANT #7)

UNIT 2- Program Co-Ordinator.

On 9th of April 08, I had to take a emergency personal day due to my son's sickness, I called Manual Ouan (Cms) that I am taking Emergency personal day (EPD). Instead of giving me EPD, Cynthia Laura Vanderwall and Karen Finley decided to give me UA time (unauthorized absence) without pay. There 3 staff are Lisa's friend

Case 1:08-cv-03838 Document 1 Filed 07/27/2008 Page 2 of 20
VII When ever they get chance, they pick me harass me and insult me in front of my other staff. I being the Supervisor of the Technician, I have my own reputation in front of those staff. But Cynthia and Karen never keep any Confidentiality and insulted me several times in front of other staff. Cynthia always forced me and other staff to do her work load, each staff have their own work assignment to complete I reported against Cynthia and another staff about they doing misconduct at work so Cynthia was already mad at me for various reasons.

8) Karen Finley (Defendant # 8)

UNIT ADMINISTRATOR, UNIT 2.

Karen is my Supervisor. Karen don't like any other staff than African-American origin. We are the Supervisors. We are responsible for patient's clothes purchasing and other belongings. So I had to get money out from their cash trust fund. Karen always insulted me to get the

Case 1:08-cv-03838 Document 1 Filed 07/07/2008 Page 1 of 1
VIII money for purchases Karen always had
problem. She insulted me several times
and discriminated me by saying on April 68
"You Indians don't know how to spent
money. I am not letting you take
no money from the patient fund.
etc. She always gave me and
two other staff hard time, rest of
The staff are African-American origin.
She always good with them. Always
Yelling & screaming at me and other two
staff, insulting & harassing in front
of other staff and using bad words
like 'F' & 'n', 'B' words & cursing at me
several times

The above staff's activity and bad
behavior towards me gave me too much
stress in my life. I had to depend on
sleep medicine and other health problems
due to stress at work. I need justice
I am looking forward to get justice
from you. Sorry for any inconvenience
Thanks. Sincerely
Chinagob.

EEOC Form 5 (5/01)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☐ FEPA
☒ EEOC

440-2008-04672

Illinois Department Of Human Rights

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Mrs. Annamma Job

Home Phone (Incl. Area Code)

(847) 599-1914

Date of Birth

05-25-1964

Street Address

City, State and ZIP Code

1605 Belleplaine Avenue, Gurnee, IL 60031

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

IL DEPT OF HUMAN SERVICES

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(847) 249-0600

Street Address

City, State and ZIP Code

Ann M Kiley Center, 1401 Dugdale Road, Waukegan, IL 60085

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☒ NATIONAL ORIGIN
☒ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

07-01-2007

05-07-2008

☒

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

I was hired by the above named Respondent on December 15, 2005, as a Residential Service Supervisor. In or about March 2007, I filed an internal complaint of discrimination. Subsequently, I have been subjected to different terms and conditions of employment. On or about April 9, 2008, I was denied pay for an absence.

I believe that I have been discriminated against because of my national origin, East Indian, and retaliated against for engaging in protected activity, in violation of Title VII of the Civil Rights Act of 1964, as amended.

RECEIVED EEOC

MAY 07 2008

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State or Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

May 07, 2008

Date

Annamma Job

Charging Party Signature

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)



Rod R. Blagojevich, Governor

Illinois Department of Human Services

Carol L. Adams, Ph.D., Secretary

100 South Grand Avenue, East • Springfield, Illinois 62762
401 South Clinton Street • Chicago, Illinois 60607

August 29, 2007

Ms. Annamma Job
1605 Belleplaine Avenue
Gurnee, Illinois 60031

Charge Number: 0307R0101E

Dear Ms. Job:

The Bureau of Civil Affairs has completed its investigation of the discrimination complaint that you filed in March, 2007. Your complaint alleged unequal terms and conditions of employment and harassment. The bases of your complaint were race, color, national origin and retaliation.

After a careful review of the evidence, it has been determined that sufficient information exists to indicate that a violation of Federal and/or State laws in addition to Department policies or Administrative Directives has occurred with respect to your allegations of harassment and unequal terms and conditions of employment on the basis of retaliation. It has been recommended that appropriate administrative follow up and/or corrective measures be initiated.

The investigation did not determine that you were the victim of unequal terms and conditions of employment on either the basis of your race, color or national origin.

The Bureau of Civil Affairs is therefore concluding its investigation of this matter, but will be following up on its recommendations.

Sincerely,

Derrick L. Davis, Sr.

Derrick L. Davis, Sr.
BCA Investigations Manager

EEOC Form 5 (5/01)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC

440-2008-04672

Illinois Department Of Human Rights

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Mrs. Annamma Job

Home Phone (Incl. Area Code)

(847) 599-1914

Date of Birth

05-25-1964

Street Address

City, State and ZIP Code

1605 Belleplaine Avenue, Gurnee, IL 60031

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

IL DEPT OF HUMAN SERVICES

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(847) 249-0600

Street Address

City, State and ZIP Code

Ann M Kiley Center, 1401 Dugdale Road, Waukegan, IL 60085

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☒ NATIONAL ORIGIN

☒ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

07-01-2007**05-07-2008**☒

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

I was hired by the above named Respondent on December 15, 2005, as a Residential Service Supervisor. In or about March 2007, I filed an internal complaint of discrimination. Subsequently, I have been subjected to different terms and conditions of employment. On or about April 9, 2008, I was denied pay for an absence.

I believe that I have been discriminated against because of my national origin, East Indian, and retaliated against for engaging in protected activity, in violation of Title VII of the Civil Rights Act of 1964, as amended.

RECEIVED EEOC

MAY 07 2008

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State or Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

May 07, 2008

Date

Annamma Job

Charging Party Signature

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)



Rod R. Blagojevich, Governor

Illinois Department of Human Services

Carol L. Adams, Ph.D., Secretary

100 South Grand Avenue, East • Springfield, Illinois 62762
401 South Clinton Street • Chicago, Illinois 60607

August 29, 2007

Ms. Annamma Job
1605 Belleplaine Avenue
Gurnee, Illinois 60031

Charge Number: 0307R0101E

Dear Ms. Job:

The Bureau of Civil Affairs has completed its investigation of the discrimination complaint that you filed in March, 2007. Your complaint alleged unequal terms and conditions of employment and harassment. The bases of your complaint were race, color, national origin and retaliation.

After a careful review of the evidence, it has been determined that sufficient information exists to indicate that a violation of Federal and/or State laws in addition to Department policies or Administrative Directives has occurred with respect to your allegations of harassment and unequal terms and conditions of employment on the basis of retaliation. It has been recommended that appropriate administrative follow up and/or corrective measures be initiated.

The investigation did not determine that you were the victim of unequal terms and conditions of employment on either the basis of your race, color or national origin.

The Bureau of Civil Affairs is therefore concluding its investigation of this matter, but will be following up on its recommendations.

Sincerely,

Derrick L. Davis, Sr.

Derrick L. Davis, Sr.
BCA Investigations Manager



ILLINOIS

Rod R. Blagojevich, Governor

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Maureen O'Donnell, Acting Director

June 5, 2007

Anna Job
1605 Belleplane Ave.
Gurnee, IL 60031

Re: Central File Number: 076-37-64
Date of Incident: 05/22/07

Dear Ms. Job:

The Risk Management Division has completed a review of your recent claim for workers' compensation benefits. Under provisions of the Illinois Workers' Compensation Act, your claim was found non-compensable.

Past decisions by the Workers' Compensation Commission have directed that if an employee's injury is the result of a risk incidental to their employment, the employee must be exposed to that risk to a greater degree than members of the general public. Our review determined that you were not placed in any greater risk than that assumed by the general public. As such, your request for benefits under the Act is not applicable and has been denied.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael N. Price", is written over a horizontal line.

Michael N. Price
Liability Claims Adjuster
Division of Risk Management
(217) 557-2296

cc: CareSys
State Employee's Retirement System
WCC -- Kathy Checalier
File

ILLINOIS DEPARTMENT OF HUMAN SERVICES
DAILY STAFF ATTENDANCE REPORT

DATE:	4/9/08	3263
SUBUNIT		
APPROVED:	<i>[Signature]</i>	

ENTERED BY:
TIMEKEEPER (Init.):
DATE:

[illegible]

To,

MICHAEL PRICE
(CMS)

KILEY ADJUSTER

From, 11th JUNE '07ANNA JOB. RBS
H-7813

KILEY CENTER

WKN. IL-60085

As I talked to you on the phone on 6/11/07. I had my injury to my left ankle on 5/22/07. I went through health line and 1st appt was on 5/31 and 2nd appt was on 6/7/07. The 2nd appt was cancelled due to denial of my medical insurance thru state. So I had to go thru my own doctor and did my appt on 6/8/07 at 1015 hrs. (per notes attached). My injury was happened at work between time 7 & 8, due to the broken edge of the main garbage can outside. The little rocks and concrete pieces were scattered around the garbage can wall, and I accidentally stepped on one of the rock or concrete piece came out from the garbage can wall.